

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action of April 16, 2007, in which the Examiner (1) rejected claims 1-32 and 34 under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2004/0164145 ("**Licciardello**") in view of U. S. Patent No. 6,149,055 ("**Gatto**") and (2) rejected claim 33 under 35 U.S.C. 103(a) as being unpatentable over **Licciardello** in view of **Gatto** and in further view of official notice.

By the present Amendment, Applicants have amended claim 1 (in order to correct an obvious clerical error), and have added new independent claim 35.

Claim 35 adds no new matter and is not believed to require further searching by the Examiner, since it recites essentially the same subject matter as claim 1, with additional language pertaining to the sender being a different person than the recipient, and pertaining to the recipient account information "being displayed for selection at the initiating terminal" for the purpose of permitting money transfers without the sender "being required to communicate payout information to the recipient" and "needing to know details of the recipient account information." The feature of the sender and recipient being different is clearly implicit in the original claims, and is supported in the specification (see paragraphs 0004 and 0022). The feature of account information being displayed was previously recited in other claims (see, *e.g.*, claim 11). The recited purpose of not needing to communicate payout information and not needing to know details of the recipient's account is disclosed in the specification (paragraphs 0005 and 0021).

Applicants respectfully traverse the rejection of the claims.

Applicants' invention, as exemplified in claim 1, relates to a system for transferring money between a sender and a recipient, and includes an initiating terminal for initiating the transfer, and a database for storing account information of senders and recipients. The database relates account information of a sender to one or more recipients. In response to a request by the sender at the terminal, information on associated recipients is provided to the initiating terminal in order to facilitate the transfer. As described in the specification (paragraphs 0028-0030) and as recited in various other claims, the facilitation is accomplished at least in part

by displaying the recipient information so that the sender can select at the initiating terminal the recipient to whom money is to be transferred.

Licciardello discloses a system for transferring money from a sender to a recipient, where the recipient does not have an account or other relationship with a financial institution (Abstract; paragraph 0005). The sender purchases a PIN card representing the transferred amount, and is given a transfer PIN to provide to the recipient (paragraphs 0034 and 0035). In lieu of the recipient having an account, the recipient receives a cash card to facilitate the transfer (paragraph 0035). The recipient uses the transfer PIN with the cash card to receive the transferred funds at a dispensing unit, such as an ATM (paragraphs 0006 and 0035).

Gatto discloses a traditional ATM process, where a user of an ATM can transfer money from one account to another account (see col. 5, lines 43-44; col. 9, lines 38-40; and Figs. 3, 3A and 3B). There is no mention of money transfers from a sender to a recipient, rather there is only mention of a single "user" (see e.g., Abstract; col. 2, lines 62-65). Thus, it is clear that the referenced transfer is between accounts of the same user, and there is no money transfer from a sender to a recipient.

Neither **Licciardello** nor **Gatto**, either alone or as combined, teach or suggest the subject matter of claim 1. The Examiner cites **Licciardello** as teaching an initiating terminal for initiating the transfer between a sender and a recipient (Remarks, page 2). However there is no database for storing account information of senders and recipients. There are, in fact, not even accounts used in the money transfer system of **Licciardello**. Applicants believe that **Licciardello**, if anything, teaches away from the present invention because it requires the sender to communicate with the recipient in order for the recipient to receive a transfer PIN, and for the recipient to thereafter use that transfer PIN in conjunction with a cash card to receive the transferred money. Applicant's invention eliminates the need for a transfer PIN and any communication between the sender and recipient in order to transfer money (see paragraph 0005), by using accounts of the sender and recipient, by relating those accounts to each other, and by providing recipient account information at the initiating terminal that is used by the sender in order to facilitate the transfer.

The Examiner cites **Gatto** as teaching a database for storing account information of senders and recipients, and for relating account information of a sender to account information of one or more associated recipients (Remarks, page 2). However, Applicants' believe **Gatto** does not have such a teaching. **Gatto** does disclose a memory for storing user-defined information that determines an ATM screen display when the ATM is used for a transaction (col. 10, lines 12-20). However, no where in **Gatto** is there disclosed storing and organizing account information as recited in claim 1, namely "storing account information of senders and recipients" and "relating account information of a sender to account information of one or more associated recipients," for the recited purpose of providing, in response to a request of the sender, "account information for the associated recipients ... to the initiating terminal in order to facilitate the transfer of money from the sender to one or more of the associated recipients."

Independent claims 9, 10, 11, 17, 31, 32 and 35 recite subject matter similar to that of claim 1, as well as further limitations in some instances. Dependent claims 2-8, 12-16, 18-30, 33 and 34 all recite limitations in addition to those of their respective parent claims. For these reasons, all such claims are believed allowable for at least the same reasons as stated above in connection with claim 1.

In connection with claim 33, the Examiner has taken official notice (as being prior art) of the feature of charging a higher fee for transferring money than the fee for depositing money. Applicants respectfully disagree, particularly in the context of a sender using a financial terminal to transfer money, where that same financial terminal may be used for other transaction such as depositing money into the sender's account. Applicants respectfully request that the Examiner provide evidence of the well known nature of such feature.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/803,871
Amdt. dated July 6, 2007
Reply to Office Action of April 16, 2007

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/Stephen F. Jewett/
Stephen F. Jewett
Reg. No. 27,565

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
SFJ:bhr
61083419 v1